



Westfield-Washington Township Board of Zoning Appeals (BZA)

Minutes of the Tuesday, September 12, 2023 BZA Meeting

Presented for approval: October 10, 2023

The Westfield-Washington Township Board of Zoning Appeals
met at 7:00 p.m. on Tuesday, September 12, 2023 at Westfield City Hall.

Active Links for this meeting:

[September 12, 2023 BZA Agenda & Exhibits](#)

[September 12, 2023 BZA YouTube Video](#)

OPENING OF MEETING

[YouTube Time: 0:01](#)

ROLL CALL

BZA Members Present In-Person: Jeff Boller, Jeannine Fortier, Noble Hatfield, Victor McCarty, and Dave Schmitz.

BZA Members Present Virtually: None.

BZA Members Absent: None.

City Staff Present: Daine Crabtree, Senior Planner; Lauren Gillingham, Senior Planner; Ryan Collingwood, Associate Planner; and Weston Rogers, Associate Planner.

City Staff Present Virtually: None

Legal Counsel Present: Ashley Ulbricht with Taft Stettinius & Hollister LLP.

APPROVAL OF MINUTES

Boller motioned to approve the August 8, 2023 Minutes.
Fortier seconded. Motion passed. Vote 5-0.

REVIEW RULES AND PROCEDURES

Crabtree reviewed BZA rules and procedures.

ITEMS OF BUSINESS

2308-VU-09 [PUBLIC HEARING]

[YouTube Time: 2:42](#)

17502 Shady Nook Road

Dustin and Lana Nichols

The Petitioner requests a Variance of Use to permit a by-appointment only
Low-Intensity Retail (Beauty Salon) use on 0.65 acres +/- in the GO: General Office District (Article 13.2).
(Planner: Weston Rogers – wrogers@westfield.in.gov)

Staff presentation / Petitioner presentation / BZA comments & questions / Petitioner response.

Public Hearing for 2308-VU-09 opened at 7:05 p.m.

- No public comments.

Public Hearing for 2308-VU-09 closed at 7:06 p.m.

BZA comments & questions / Staff responses / Petitioner response.

McCarty motioned to approve 2308-VU-09 subject to the recommended conditions stated in the motion.
Hatfield seconded. Motion passed. Vote 5-0.

Schmitz motioned to adopt Staff's Findings of Fact for the approval of 2308-VU-09.
Fortier seconded. Motion passed. Vote 5-0.

Agendas and minutes for all City meetings are updated and available at the City's website.

Website: www.westfield.in.gov / Community Development Department E-mail: community@westfield.in.gov

2309-VS-20 [PUBLIC HEARING]

[YouTube Time: 10:25](#)

2753 Pyrenean Place

Stacey and Stacy Parker

The Petitioners request a Variance of Development Standard to encroach eighteen (18) feet into the thirty (30) foot Minimum Rear Yard Setback to accommodate a swimming pool and deck on 0.56 acres +/- in the Oak Manor Planned Unit Development (PUD) District.

(Planner: Daine Crabtree – dcrabtree@westfield.in.gov)

Staff presentation / Staff explained the need to suspend BZA Rules due to the timing of the Public Notice

Schmitz motioned to suspend the BZA Rules and Procedure in regard to the Notice Provision for 2309-VS-20 to allow for seven days notice versus ten days for Public Notice Public.

Fortier seconded. Motion passed. Vote 5-0.

Public Hearing for 2309-VS-20 opened at 7:13 p.m.

- No public comments

Public Hearing for 2309-VS-20 closed at 7:14 p.m.

BZA comments & questions / Petitioner response.

Fortier motioned to approve 2309-VS-20 subject to the recommended conditions stated in the motion.

Boller seconded. Motion passed. Vote 5-0.

Schmitz motioned to adopt Staff's Findings of Fact for the approval of 2309-VS-20.

McCarty seconded. Motion passed. Vote 5-0.

2309-VS-21 [PUBLIC HEARING]

[YouTube Time: 18:10](#)

1960 East Greyhound Pass

Academy, LTD by Barnes & Thornburg, LLP

The Petitioner requests a Variance of Development Standard to permit outdoor sale displays on 6.53 acres +/- in the SB-PD: Special Business Planned Development District (Article 6.12(C)(2)(a)(ii)).

(Planner: Ryan Collingwood – rcollingwood@westfield.in.gov)

Staff presentation / Petitioner presentation / BZA comments & questions / Petitioner responses.

Public Hearing for 2309-VS-21 opened at 7:26 p.m.

- No public comments.

Public Hearing for 2309-VS-21 closed at 7:28 p.m.

Boller motioned to approve 2309-VS-21 subject to the recommended conditions stated in the motion.

McCarty seconded. Motion passed. Vote 5-0.

Schmitz motioned to adopt Staff's Findings of Fact for the approval of 2309-VS-21.

Hatfield seconded. Motion passed. Vote 5-0.

2309-VS-22 [PUBLIC HEARING]

[YouTube Time: 29:05](#)

14933 Thatcher Lane

CBRE Group, Inc. by NELCO Architecture, Inc.

The Petitioner requests a Variance of Development Standard to modify site lighting standards in order to accommodate the redevelopment of a 0.95 acre +/- site in the SB-PD: Special Business/Planned Development District (Article 6.9(F)(2)).

(Planner: Lauren Gillingham – lgillingham@westfield.in.gov)

Staff presentation.

Public Hearing for 2309-VS-22 opened at 7:31 p.m.

- No public comments.

Public Hearing for 2309-VS-22 closed at 7:33 p.m.

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Website: www.westfield.in.gov / Community Development Department E-mail: community@westfield.in.gov

BZA comments & questions / Staff responses.

Boller motioned to approve 2309-VS-22 subject to the recommended conditions stated in the motion.

Fortier seconded. Motion passed. Vote 5-0.

Schmitz motioned to adopt Staff's Findings of Fact for the approval 2309-VS-22.

Fortier seconded. Motion passed. Vote 5-0.

2309-VU-10 [PUBLIC HEARING]

[YouTube Time: 40:01](#)

2404 East South Street

Mike Broshear, BDL Properties, LLC

The Petitioner requests a Variance of Use to permit indoor auto sales on 0.80 acres +/- in the AG-SF1: Agriculture/Single-Family Rural District (Article 13.2).

(Planner: Lauren Gillingham – lgillingham@westfield.in.gov)

Staff presentation / Petitioner presentation / BZA comments & questions / Petitioner responses.

Public Hearing for 2309-VU-10 opened at 7:48 p.m.

- No public comments.

Public Hearing for 2309-VU-10 closed at 7:51 p.m.

BZA comments & questions / Staff responses / Petitioner responses.

Hatfield motioned to approve 2309-VU-10 subject to the following conditions as revised in the motion:

1. That approval of this variance be tied to BDL Properties, LLC and shall expire upon future sale of the property;
2. That no business operations (including vehicle sales, maintenance, etc.) occur outside the structure or be marketed to the general public;
3. That vehicles will not be parked in the grass;
4. That no signage be permitted on the property beyond what is necessary to meet state licensing requirements;
5. The Petitioner shall record an acknowledgement of this approval with the Hamilton County Recorder's Office and return a copy of the recorded instrument to the Community Development Department.

McCarty seconded. Motion passed. Vote 5-0.

Schmitz motioned to adopt Staff's Findings of Fact for the approval of 2309-VU-10.

Fortier seconded. Motion passed. Vote 5-0.

2309-SE-02 [PUBLIC HEARING]

[YouTube Time: 55:08](#)

17695 Shamrock Boulevard

Westfield-Washington Schools by Church Church Hittle + Antrim

The Petitioner requests a Special Exception to permit a tax-exempt use (school-operated tennis and pickleball facility) on 3.83 acres +/- in both the Junction Planned Unit Development (PUD) and SF3: Single-Family Medium Density zoning districts.

(Planner: Weston Rogers – wrogers@westfield.in.gov)

Staff presentation / Petitioner presentation / BZA comments & questions / Petitioner responses.

Public Hearing for 2309-SE-02 opened at 8:00 p.m.

6. No public comments.

Public Hearing for 2309-SE-02 closed at 8:03 p.m.

McCarty motioned to approve 2309-SE-02 subject to the recommended conditions stated in the motion.

Boller seconded. Motion passed. Vote 5-0.

Schmitz motioned to adopt Staff's Findings of Fact for the approval 2309-SE-02.

Fortier seconded. Motion passed. Vote 5-0.

ITEMS CONTINUED TO A FUTURE MEETING

No Continued Items.

REPORTS/COMMENTS:

[*YouTube Time: 1:04:19*](#)

- Plan Commission Liaison
- Community Development Department

ADJOURNMENT

Boller motioned to adjourn the meeting. Fortier seconded. Motion passed. Vote 5-0.
The meeting adjourned at 8:05 p.m.

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Signature Page for BZA Minutes for September 12, 2023

Chairperson
Dave Schmitz

Secretary
Kevin M. Todd, AICP
Director